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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/740,174	12/18/2000	John D. Porter	MIO 0042 V2	5372

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EXAMINER
TRINH, MICHAEL MANH

ART UNIT	PAPER NUMBER
2822	

DATE MAILED: 08/12/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/740,174	PORTER ET AL.	
	Examiner	Art Unit	
	Michael Trinh	2822	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *06 June 2003* .

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *35-38 and 42-63* is/are pending in the application.

4a) Of the above claim(s) *38 and 42-50* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *35-37 and 51-63* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

*** This office action is in response to Applicant's amendment and election filed on May 22, 02. Claims 35-38,42-63 are currently pending, in which claim 63 has been newly added.

*** The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

*** Claim 35, line 1, is objected as inadvertently omitted the term "inverter" after "at least one".

Election/Restrictions

1. This application contains claims 38 and 42-50 drawn to an invention nonelected with traverse in Paper No. 7. There is no generic claim. The restriction is still deemed proper and is made FINAL. A complete reply to the final rejection must include cancellation of nonelected claims or other appropriate action (37 CFR 1.144) See MPEP § 821.01.

Claim Rejections - 35 USC § 102

2. Claims 35-37,51-63 are rejected under 35 U.S.C. 102(b) as being anticipated by Canaris et la (5,406,513).

Canaris et al teach a method for forming a SRAM memory cell having an inverter comprising at least the steps of: providing a semiconductor of a first type conductivity; forming a well 18 of a second conductivity type in the semiconductor 10; forming a first type transistor in the well, wherein the first type transistor has a first source "S" 22, a first drain "D" and a first gate 30 "G" (Figs 3,4A,4B; col 3, line 28 through col 4; col 2, lines 18-31); forming in the well a first contact 40 in spaced relation to the first type transistor; forming a second contact 40 in the well in spaced relation to the first type transistor; coupling the first contact to first voltage input; and coupling the second contact 40 to the first source 22 to a same common potential line. Re claim 36, wherein the first left contact 40 separated from the first source 22 by a first distance defining a first parasitic resistance, and wherein the second right contact 40 separated from the first source 22 by a second distance defining a second parasitic resistance (Figs 3,4A). Re claim 37, wherein an N-well is formed in a P-type semiconductor substrate (col 3, lines 45-54; col 2, lines 34-55), and so that the first type transistor comprises a first p-type region in the well defining the first source, a second p-type region in the well defining the first drain, and a gate over the well. Re claims 51-52, wherein coupling the first source to the second contact

comprising forming a metallization interconnect layer over the semiconductor substrate (Figs 3,4A; col 5, lines 47-58). Re claims 53,54, wherein the first source 22 is coupled to the first voltage input through a parasitic resistance Rw,R'w, R's, Rs of the well (Figs 4A-4B; col 3, line 28 through col 4), and wherein the first source is coupled to the first voltage input through the series combination of the first and second components of parasitic resistance. Re claims 55-56, wherein the distance form the first left contact 40 to the second right contact 40 is greater than distance from the first contact to the first source 22 (Figs 3,4A), and re claim 56, wherein the first type transistor is between the first and second contacts. Re claims 58-60, wherein forming a second type pull down transistor outside the well, coupling the transistor to a second voltage input, and coupling the semiconductor substrate to a third voltage input comprising a substrate tie contact 42 proximate to the second transistor (Figs 3,4A), wherein the first transistor comprises a pull up transistor, and the second transistor comprises a pull down transistor . Re claims 57,61-62, wherein a plurality of first type transistor are formed in the well (Figs 6A-6B;3,4A-4B), each transistor including a source, a drain, a gate, coupling to the second contact, wherein a plurality of second type transistors are formed outside the well, coupling to the second voltage input, wherein each of the second transistors has source, drain and gate, wherein each drain of the first type transistor coupled to each drain of the second type transistor (Figs 4A,6A-6B, and each source of the second transistors is coupled to the second voltage input (Figs 4A,6A-6B). Re claim 63, wherein as shown in Figures 4A and 6, the second contact 40 is coupled to the first source 22 a same common potential line through a connection from the well over the semiconductor.

Response to Arguments

3. Applicant's remarks filed on June 06, 2003 have been fully considered but they are not persuasive.

** Applicant remarks (at remark pages 7-8 filed 6/6/03) that "...the guard ring 40 is not a first and second contact...The guard ring is tied to the Vss at a **single point**...Thus, Canaris does not teach coupling the second contact to the first source because there is not second contact...".

In response, this is noted and found totally unconvincing. First, claimed subject matter, not the specification, is the measure of invention. Limitations in the specification cannot be read into the claims for the purpose of avoiding the prior art. In Re Self, 213 USPQ 1,5 (CCPA 1982); In Re Priest, 199 USPQ 11,15 (CCPA 1978). Second, as clearly shown in Figure 4A, the guard ring 40 is tied to the Vss at least at two points through wiring connections from the well over the semiconductor. As also clearly shown, there are at least first right contact and a second right contact made an electrical connection to the guard ring 40, wherein the second right contact is coupled to the same common potential line as to the first source 22, and wherein the first left contact is coupled to a first voltage input. Moreover, as can be seen in layout of Figures 6A,6B, and 7, multiple point contacts are made in the device for interconnecting metal 2 to underlying structures comprising the guarding rings 100 and 102.

Accordingly, the rejection is still proper and outstanding.

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Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael M. Trinh whose telephone number is (703) 308-2554. The examiner can normally be reached on M-F from 8:30 Am to 4:30 Pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amir Zarabian can be reached on (703) 308-4905. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7722 for regular communications and (703) 308-7724 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

Oacs-4

Michael Trinh
Primary Examiner